

1
2
3
4
5
6
7
8

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES A. BIGELOW,
Plaintiff,

v.

NORTHWEST TRUSTEE SERVICES, INC.;
GREEN TREE SERVICING, LLC;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
WRIGHT, FINLEY & ZAK, LLP; TICOR
TITLE COMPANY; NATIONWIDE TITLE
CLEARING; FIRST AMERICAN TITLE
INSURANCE COMPANY; RENEE
PARKER; and DOE DEFENDANTS 1 - 20,

Defendants.

GREEN TREE SERVICING, LLC,
Counter-Plaintiff,

vs.

JAMES A. BIGELOW and CAROLYN
BIGELOW, Husband and Wife; WELLS
FARGO BANK, N.A.; OAK RIDGE YELM
HOME OWNERS ASSOCIATION, a non-
profit corporation; and ALL PERSONS OR
PARTIES UNKNOWN CLAIMING ANY
RIGHT, TITLE, ESTATE, LIEN, OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
HEREIN,

Counter-Defendants.

RESPONSE IN SUPPORT OF DEFENDANT
FIRST AMERICAN TITLE INSURANCE
COMPANY'S UNOPPOSED MOTION TO
DISMISS; CASE NO. 3:14-cv-05798-BHS

CASE NO. 3:14-cv-05798-BHS
RESPONSE IN SUPPORT OF
DEFENDANT FIRST AMERICAN
TITLE INSURANCE COMPANY'S
UNOPPOSED MOTION TO
DISMISS

Note on Motion Calendar:

May 22, 2015

Responses due: May 18, 2015

Socius Law Group, PLLC

ATTORNEYS
Two Union Square • 601 Union Street, Suite 4950
Seattle, Washington 98101-3951
Telephone 206.838.9100
Facsimile 206.838.9101

1 Defendant First American Title Insurance Company (“First American”) has received
2 no response to its Motion to Dismiss set for hearing on May 22, 2015. It appears that the
3 Motion is unopposed.

4 Plaintiff’s opposition to First American’s Motion to Dismiss was due on May 18,
5 2015. On May 20, 2015, Plaintiff filed a forty-one page document entitled “Memorandum of
6 Law Supporting an Opposition to a Motion to Dismiss,” approximately forty pages of which
7 are copied directly from an irrelevant third-party memorandum Plaintiff did not author.
8 Nowhere in the document does Plaintiff address First American’s Motion to Dismiss or even
9 mention First American. At forty-one pages, the document significantly violates the twenty-
10 four page limit imposed by LCR 7(e)(3). Plaintiff uses single-spaced text in the majority of
11 the document. Were the document appropriately double-spaced pursuant to LCR 10(e), it
12 appears that the document would exceed at least sixty (60) pages, none of which reference
13 First American or First American’s Motion to Dismiss.

14 Therefore, First American asks the Court to grant its Motion to Dismiss.
15

16 DATED this 22nd day of May, 2015.

17 SOCIUS LAW GROUP, PLLC

18 SOCIUS LAW GROUP, PLLC

19 By /s/ Thomas F. Peterson
20 Thomas F. Peterson, WSBA #16587
21 Attorneys for Defendant First American
Title Insurance Co.
22 601 Union Street, #4950
23 Seattle, WA 98101
24 Tel: (206) 838-9100
25 Email: tpeterson@sociuslaw.com

By /s/ Joshua D. Krebs
Joshua D. Krebs, WSBA #47103
Attorneys for Defendant First American
Title Insurance Co.
601 Union Street, #4950
Seattle, WA 98101
Tel: (206) 838-9100
Email: jkrebs@sociuslaw.com

26 RESPONSE IN SUPPORT OF DEFENDANT
FIRST AMERICAN TITLE INSURANCE
COMPANY’S UNOPPOSED MOTION TO
DISMISS; CASE NO. 3:14-cv-05798-BHS

Socius Law Group, PLLC

ATTORNEYS
Two Union Square • 601 Union Street, Suite 4950
Seattle, Washington 98101-3951
Telephone 206.838.9100
Facsimile 206.838.9101

1 DECLARATION OF SERVICE

2 I, Minna Amit, hereby declare under penalty of perjury and in accordance with the laws
 3 of the State of Washington, that on May 22, 2015, I electronically filed the foregoing and all
 4 supporting documents with the Clerk of the Court using the CM/ECF system which will send
 5 notification of such filing to the following:

6 <i>Plaintiff Pro Se</i>	[]	By United States Mail
James A. Bigelow	[]	By Federal Express
7916 Southwind Circle	[]	By Legal Messenger
6 Huntington Beach, CA 92648	[]	By Facsimile
	[]	By Email
7 <i>Attorney for Green Tree Servicing, LLC</i>	[]	By United States Mail
8 <i>MERS, Wright Finlay & Zak, LLP and Renee</i>	[]	By Federal Express
9 <i>M. Parker</i>	[]	By Legal Messenger
Renee M. Parker	[]	By Facsimile
10 Wright, Finlay & Zak, LLP	[]	By Email
4665 Macarthur Court, Suite 280		
11 Newport Beach, CA 92660		
12 <i>Attorney for Northwest Trustee Services, Inc.</i>	[]	By United States Mail
Joseph H Marshall	[]	By Federal Express
13 RCO Legal, P.S.	[]	By Legal Messenger
13 13555 SE 36th Street	[]	By Facsimile
14 Suite 300	[]	By Email
14 Bellevue, WA 98006		
15 <i>Attorney for Nationwide Title Clearing</i>	[]	By United States Mail
Matt Adamson	[]	By Federal Express
16 Jameson Babbitt Stites & Lombard, PLLC	[]	By Legal Messenger
16 801 Second Avenue, #1000	[]	By Facsimile
17 Seattle, WA 98104	[]	By Email
18 <i>Interested Person</i>	[]	By United States Mail
Timothy Dietz	[]	By Federal Express
19 10018 Cascadian Avenue SE	[]	By Legal Messenger
20 Yelm, WA 98597	[]	By Facsimile
	[]	By Email

21 DATED this 22nd day of May, 2015.

22 s/s Minna Amit
 23 Minna Amit, Legal Assistant
 24 Socius Law Group, PLLC
 25 601 Union Street, #4950
 26 Seattle, WA 98101
mamit@sociuslaw.com

27 **Socius Law Group, PLLC**

28 **ATTORNEYS**
 29 Two Union Square • 601 Union Street, Suite 4950
 30 Seattle, Washington 98101-3951
 31 Telephone 206.838.9100
 32 Facsimile 206.838.9101

33 RESPONSE IN SUPPORT OF DEFENDANT
 34 FIRST AMERICAN TITLE INSURANCE
 35 COMPANY'S UNOPPOSED MOTION TO
 36 DISMISS; CASE NO. 3:14-cv-05798-BHS